

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI,
WESTERN DIVISION**

FRANK WAYNE JOHNSON, #06708-097

PETITIONER

VERSUS

CIVIL ACTION NO. 5:04cv64-DCB-JCS

MICHAEL PETTIFORD

RESPONDENT

JUDGMENT OF DISMISSAL

This cause having come before the Court on this date on the respondent's Motion to Dismiss as Moot the Petition for Habeas Corpus Pursuant to 28 U.S.C. § 2241, the Court, following a thorough evaluation of the Motion in light of all applicable statutory and case law and being otherwise fully advised as to the premises, having granted said Motion by Order of even date, and the Court having determined that the action is no longer a justiciable case and controversy under Article III, § 2, cl. 1 of the United States Constitution; accordingly,

IT IS HEREBY ORDERED AND ADJUDGED that the case is **DISMISSED FOR MOOTNESS**.

SO ORDERED AND ADJUDGED, this the 26th day of December 2007.

s/ DAVID BRAMLETTE

UNITED STATES DISTRICT JUDGE